

House Resolution 1259 (AS PASSED HOUSE AND SENATE)

By: Representative Barnard of the 166th

A RESOLUTION

1 Authorizing the granting of nonexclusive easements for operation and maintenance of
2 facilities, utilities, and ingress and egress, in, on, over, under, upon, across or through
3 property owned by the State of Georgia in Bryan, Camden, Charlton, Chatham, Clarke,
4 Coweta, Douglas, Glynn, Grady, Muscogee, and Whitfield counties, Georgia; to repeal
5 conflicting laws; and for other purposes.

6 WHEREAS, the State of Georgia is the owner of certain real property located in Bryan,
7 Camden, Charlton, Chatham, Clarke, Coweta, Douglas, Glynn, Grady, Muscogee, and
8 Whitfield counties, Georgia; and

9 WHEREAS, Terry L. Hall, the Unified Government of Athens-Clarke County, Georgia
10 Power Company, Greystone Power Corporation, the City of Cairo, the Columbus
11 Consolidated Government, Southern Natural Gas Company, and North Georgia Electric
12 Membership Corporation desire to operate and maintain facilities, utilities, and ingress and
13 egress in, on, over, under, upon, across, or through a portion of said property; and

14 WHEREAS, these facilities, utilities, and ingress and egress in, on, over, under, upon, across,
15 or through the above-described state property have been requested and/or approved by the
16 Department of Natural Resources, Department of Agriculture, Department of Technical and
17 Adult Education, and State Properties Commission with respect to the property under the
18 jurisdiction of their respective departments.

19 NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL
20 ASSEMBLY OF GEORGIA:

ARTICLE I**SECTION 1.**

That the State of Georgia is the owner of the hereinafter described real property in Chatham County and the property is in the custody of the Department of Natural Resources, hereinafter referred to as the "easement area," and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 2.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Terry L. Hall, or his successors and assigns, a nonexclusive easement for the operation and maintenance of ingress and egress in, on, over, under, upon, across, or through the easement area for the purpose of maintaining, repairing, replacing, inspecting, and operating ingress and egress together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located lying west of Windsor, 6th GMD Chatham County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown in yellow on a plat of survey dated February 20, 2002, prepared by Vincent Helmly and on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval."

SECTION 3.

That the above-described premises shall be used solely for the purposes of installing, maintaining, repairing, replacing, inspecting, and operating said ingress and egress.

SECTION 4.

That Terry L. Hall shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper operation and maintenance of said ingress and egress.

SECTION 5.

That, after Terry L. Hall has put into use the ingress and egress for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement

1 granted herein. Upon abandonment, Terry L. Hall, or his successors and assigns, shall have
2 the option of removing their facilities from the easement area or leaving the same in place,
3 in which event the ingress and egress shall become the property of the State of Georgia, or
4 its successors and assigns.

5 **SECTION 6.**

6 That no title shall be conveyed to Terry L. Hall and, except as herein specifically granted to
7 Terry L. Hall, all rights, title, and interest in and to said easement area are reserved in the
8 State of Georgia, which may make any use of said easement area not inconsistent with or
9 detrimental to the rights, privileges, and interest granted to Terry L. Hall.

10 **SECTION 7.**

11 That if the State of Georgia, acting by and through its State Properties Commission,
12 determines that any or all of the facilities placed on the easement area should be removed or
13 relocated to an alternate site on state owned land in order to avoid interference with the
14 state's use or intended use of the easement area, it may grant a substantially equivalent
15 nonexclusive easement to allow placement of the removed or relocated facilities across the
16 alternate site, under such terms and conditions as the State Properties Commission shall in
17 its discretion determine to be in the best interests of the State of Georgia; and Terry L. Hall
18 shall remove or relocate his facilities to the alternate easement area at his sole cost and
19 expense, unless the State Properties Commission determines that the requested removal or
20 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
21 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
22 percent the amount of a written estimate provided by Terry L. Hall. Upon written request,
23 the State Properties Commission, in its sole discretion, may permit the relocation of the
24 facilities to an alternate site on state owned land so long as the removal and relocation is paid
25 by the party or parties requesting such removal and at no cost and expense to the State of
26 Georgia.

27 **SECTION 8.**

28 That this resolution does not affect and is not intended to affect any rights, powers, interest,
29 or liability of the Department of Transportation with respect to the state highway system, a
30 county with respect to the county road system, or a municipality with respect to the city street
31 system. Grantee shall obtain any and all other required permits from the appropriate
32 governmental agencies as are necessary for its lawful use of the easement area or public

1 highway right of way and comply with all applicable state and federal environmental statutes
2 in its use of the easement area.

3 **SECTION 9.**

4 That the easement granted to Terry L. Hall shall contain such other reasonable terms,
5 conditions, and covenants as the State Properties Commission shall deem in the best interests
6 of the State of Georgia and that the State Properties Commission is authorized to use a more
7 accurate description of the easement area, so long as the description utilized by the State
8 Properties Commission describes the same easement area herein granted.

9 **SECTION 10.**

10 That the consideration for such easement shall be for the fair market value, but not less than
11 \$650.00 and such further consideration and provisions as the State Properties Commission
12 may determine to be in the best interests of the State of Georgia.

13 **SECTION 11.**

14 That this grant of easement shall be recorded by the grantee in the Superior Court of
15 Chatham County and a recorded copy shall be forwarded to the State Properties Commission.

16 **SECTION 12.**

17 That the authorization in this resolution to grant the above-described easement to Terry L.
18 Hall shall expire three years after the date that this resolution becomes effective.

19 **SECTION 13.**

20 That the State Properties Commission is authorized and empowered to do all acts and things
21 necessary and proper to effect the grant of the easement area.

22 **ARTICLE II**

23 **SECTION 14.**

24 That the State of Georgia is the owner of the hereinafter described real property in Clarke
25 County and the property is in the custody of the Department of Agriculture, hereinafter
26 referred to as the "easement area," and that, in all matters relating to the easement area the
27 State of Georgia is acting by and through its State Properties Commission.

28 **SECTION 15.**

1 That the State of Georgia, acting by and through its State Properties Commission, may grant
2 to the Unified Government of Athens-Clarke County, Georgia, or its successors and assigns,
3 a nonexclusive easement for the operation and maintenance of ingress and egress in, on,
4 over, under, upon, across, or through the easement area for the purpose of ingress and egress
5 together with the right of ingress and egress over adjacent land of the State of Georgia as may
6 be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located
7 at 2188 W. Broad Street, Athens-Clarke County, Georgia, and is more particularly described
8 as follows:

9 "That portion and that portion only as shown in yellow on a plat of survey dated January
10 18, 2006, prepared by J. R. Holland and on file in the offices of the State Properties
11 Commission, and may be more particularly described by a plat of survey prepared by a
12 Georgia Registered Land Surveyor and presented to the State Properties Commission for
13 approval."

14 **SECTION 16.**

15 That the above-described premises shall be used solely for the purpose of ingress and egress.

16 **SECTION 17.**

17 That the Unified Government of Athens-Clarke County, Georgia shall have the right to
18 remove or cause to be removed from said easement area only such trees and bushes as may
19 be reasonably necessary for the proper operation and maintenance of said ingress and egress.

20 **SECTION 18.**

21 That, after the Unified Government of Athens-Clarke County, Georgia has put into use the
22 ingress and egress for which this easement is granted, a subsequent abandonment of the use
23 thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the
24 rights, title, privileges, powers, and easement granted herein. Upon abandonment, the
25 Unified Government of Athens-Clarke County, Georgia, or its successors and assigns, shall
26 have the option of removing their facilities from the easement area or leaving the same in
27 place, in which event the ingress and egress shall become the property of the State of
28 Georgia, or its successors and assigns.

29 **SECTION 19.**

30 That no title shall be conveyed to the Unified Government of Athens-Clarke County, Georgia
31 and, except as herein specifically granted to the Unified Government of Athens-Clarke
32 County, Georgia, all rights, title, and interest in and to said easement area is reserved in the

1 State of Georgia, which may make any use of said easement area not inconsistent with or
2 detrimental to the rights, privileges, and interest granted to the Unified Government of
3 Athens-Clarke County, Georgia.

4 **SECTION 20.**

5 That if the State of Georgia, acting by and through its State Properties Commission,
6 determines that any or all of the facilities placed on the easement area should be removed or
7 relocated to an alternate site on state owned land in order to avoid interference with the
8 state's use or intended use of the easement area, it may grant a substantially equivalent
9 nonexclusive easement to allow placement of the removed or relocated facilities across the
10 alternate site, under such terms and conditions as the State Properties Commission shall in
11 its discretion determine to be in the best interests of the State of Georgia; and the Unified
12 Government of Athens-Clarke County, Georgia shall remove or relocate its facilities to the
13 alternate easement area at its sole cost and expense, unless the State Properties Commission
14 determines that the requested removal or relocation is to be for the sole benefit of the State
15 of Georgia and approves payment by the State of Georgia of all or a portion of such actual
16 cost and expense, not to exceed by 20 percent the amount of a written estimate provided by
17 the Unified Government of Athens-Clarke County, Georgia. Upon written request, the State
18 Properties Commission, in its sole discretion, may permit the relocation of the facilities to
19 an alternate site on state owned land so long as the removal and relocation is paid by the
20 party or parties requesting such removal and at no cost and expense to the State of Georgia.

21 **SECTION 21.**

22 That this resolution does not affect and is not intended to affect any rights, powers, interest,
23 or liability of the Department of Transportation with respect to the state highway system, a
24 county with respect to the county road system, or a municipality with respect to the city street
25 system. Grantee shall obtain any and all other required permits from the appropriate
26 governmental agencies as are necessary for its lawful use of the easement area or public
27 highway right of way and comply with all applicable state and federal environmental statutes
28 in its use of the easement area.

29 **SECTION 22.**

30 That the easement granted to the Unified Government of Athens-Clarke County, Georgia
31 shall contain such other reasonable terms, conditions, and covenants as the State Properties
32 Commission shall deem in the best interests of the State of Georgia and that the State
33 Properties Commission is authorized to use a more accurate description of the easement area,

1 so long as the description utilized by the State Properties Commission describes the same
2 easement area herein granted.

3 **SECTION 23.**

4 That the consideration for such easement shall be for \$10.00 and such further consideration
5 and provisions as the State Properties Commission may determine to be in the best interests
6 of the State of Georgia.

7 **SECTION 24.**

8 That this grant of easement shall be recorded by the grantee in the Superior Court of Clarke
9 County and a recorded copy shall be forwarded to the State Properties Commission.

10 **SECTION 25.**

11 That the authorization in this resolution to grant the above-described easement to the Unified
12 Government of Athens-Clarke County, Georgia shall expire three years after the date that this
13 resolution becomes effective.

14 **SECTION 26.**

15 That the State Properties Commission is authorized and empowered to do all acts and things
16 necessary and proper to effect the grant of the easement area.

17 **ARTICLE III**

18 **SECTION 27.**

19 That the State of Georgia is the owner of the hereinafter described real property in Coweta
20 County, and is in the custody of the Department of Natural Resources, hereinafter referred
21 to as the "easement area," and that, in all matters relating to the easement area, the State of
22 Georgia is acting by and through its State Properties Commission.

23 **SECTION 28.**

24 That the State of Georgia, acting by and through its State Properties Commission, may grant
25 to Georgia Power Company, or its successors and assigns, a nonexclusive easement for the
26 construction, operation, and maintenance of an electrical distribution line in, on, over, under,
27 upon, across, or through the easement area for the purpose of constructing, erecting,
28 installing, maintaining, repairing, replacing, inspecting, and operating an electrical
29 distribution line together with the right of ingress or egress over adjacent land of the State

1 of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said
2 easement area is located in land lots 112, 113, 116, 117, 132, 133, 139, 140, 155, 156, 161,
3 and 176 of the 4th District, Coweta County, Georgia, and is more particularly described as
4 follows:

5 "That portion and that portion only as shown marked in yellow on a drawing prepared by
6 Georgia Power Company and being titled "Plant Yates Transmission Line", additional
7 easement to be acquired crossing the property of Georgia Department of Natural
8 Resources, and on file in the offices of the State Properties Commission and may be more
9 particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor
10 and presented to the State Properties Commission for approval."

11 **SECTION 29.**

12 That the above-described premises shall be used solely for the purposes of planning,
13 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
14 said electrical distribution line.

15 **SECTION 30.**

16 That the Georgia Power Company shall have the right to remove or cause to be removed
17 from said easement area only such trees and bushes as may be reasonably necessary for the
18 proper construction, operation, and maintenance of said electrical distribution line.

19 **SECTION 31.**

20 That, after the Georgia Power Company has put into use the electrical distribution line for
21 which this easement is granted, a subsequent abandonment of the use thereof shall cause a
22 reversion to the State of Georgia, or its successors and assigns, of all the rights, title,
23 privileges, powers, and easement granted herein. Upon abandonment, the Georgia Power
24 Company, or its successors and assigns, shall have the option of removing its facilities from
25 the easement area or leaving the same in place, in which event the facility shall become the
26 property of the State of Georgia, or its successors and assigns.

27 **SECTION 32.**

28 That no title shall be conveyed to the Georgia Power Company, and, except as herein
29 specifically granted to Georgia Power Company, all rights, title, and interest in and to said
30 easement area is reserved in the State of Georgia, which may make any use of said easement
31 area not inconsistent with or detrimental to the rights, privileges, and interest granted to
32 Georgia Power Company.

SECTION 33.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state's use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia; and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by Georgia Power Company. Upon written request, the State Properties Commission, in its sole discretion, may permit the relocation of the facilities to an alternate site on state owned land so long as the removal and relocation is paid by the party or parties requesting such removal and at no cost and expense to the State of Georgia.

SECTION 34.

That this resolution does not affect and is not intended to affect any rights, powers, interests, or liability of the Department of Transportation with respect to the state highway system, a county with respect to the county road system, or a municipality with respect to the city street system. Grantee shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 35.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interests of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 36.

1 That the consideration for such easement shall be for \$10.00 and the acknowledgment that
2 Georgia Power Company conveyed 564 acres to the State of Georgia for a consideration of
3 \$10.00, a portion of which the herein described easement traverses, and such further
4 consideration and provisions as the State Properties Commission may determine to be in the
5 best interests of the State of Georgia.

6 **SECTION 37.**

7 That this grant of easement shall be recorded by the grantee in the Superior Court of Coweta
8 County and a recorded copy shall be forwarded to the State Properties Commission.

9 **SECTION 38.**

10 That the authorization in this resolution to grant the above-described easement to Georgia
11 Power Company shall expire three years after the date that this resolution becomes effective.

12 **SECTION 39.**

13 That the State Properties Commission is authorized and empowered to do all acts and things
14 necessary and proper to effect the grant of the easement area.

15 **ARTICLE IV**

16 **SECTION 40.**

17 That the State of Georgia is the owner of the hereinafter described real property in Douglas
18 County and the property is in the custody of the Department of Natural Resources, hereinafter
19 referred to as the "easement area," and that, in all matters relating to the easement area, the
20 State of Georgia is acting by and through the State Properties Commission.

21 **SECTION 41.**

22 That the State of Georgia, acting by and through its State Properties Commission, may grant
23 to Greystone Power Corporation, or its successors and assigns, a nonexclusive easement for
24 the construction, operation, and maintenance of an electrical distribution line in, on, over,
25 under, upon, across, or through the easement area for the purposes of constructing, erecting,
26 installing, maintaining, repairing, replacing, inspecting, and operating an electrical
27 distribution line together with the right of ingress and egress over adjacent land of the State
28 of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said

1 easement area is located in land lot 882, 13th District, 2nd Section, Douglas County, Georgia,
2 and is more particularly described as follows:

3 "That portion and that portion only as shown marked in yellow on a drawing prepared by
4 Greystone Power Corporation, and attached as EXHIBIT "A" to that certain revocable
5 license agreement dated June 15, 2005 and designated as real property record #10115, and
6 being on file in the offices of the State Properties Commission, and may be more
7 particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor
8 and presented to the State Properties Commission for approval."

9 **SECTION 42.**

10 That the above-described premises shall be used solely for the purposes of planning,
11 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
12 said electrical distribution line.

13 **SECTION 43.**

14 That Greystone Power Corporation shall have the right to remove or cause to be removed
15 from said easement area only such trees and bushes as may be reasonably necessary for the
16 proper construction, operation, and maintenance of said electrical distribution line.

17 **SECTION 44.**

18 That after the Greystone Power Corporation has put into use the electrical distribution line
19 for which this easement is granted, a subsequent abandonment of the use thereof shall cause
20 a reversion to the State of Georgia, or its successors and assigns, of all the rights, title,
21 privileges, powers, and easement granted herein. Upon abandonment, Greystone Power
22 Corporation, or its successors and assigns, shall have the option of removing its facilities
23 from the easement area or leaving the same in place, in which event the facility shall be the
24 property of the State of Georgia, or its successors and assigns.

25 **SECTION 45.**

26 That no title shall be conveyed to Greystone Power Corporation, and, except as herein
27 specifically granted to Greystone Power Corporation, all rights, title, and interest in and to
28 said easement area are reserved in the State of Georgia, which may make any use of said
29 easement area not inconsistent with or detrimental to the rights, privileges, and interest
30 granted to Greystone Power Corporation.

31 **SECTION 46.**

1 That if the State of Georgia, acting by and through its State Properties Commission,
2 determines that any or all of the facilities placed on the easement area should be removed or
3 relocated to an alternate site on state owned land in order to avoid interference with the
4 state's use or intended use of the easement area, it may grant a substantially equivalent
5 nonexclusive easement to allow placement of the removed or relocated facilities across the
6 alternate site, under such terms and conditions as the State Properties Commission shall in
7 its discretion determine to be in the best interests of the State of Georgia; and Greystone
8 Power Corporation shall remove or relocate its facilities to the alternate easement area at its
9 sole cost and expense, unless the State Properties Commission determines that the requested
10 removal or relocation is to be for the sole benefit of the State of Georgia and approves
11 payment by the State of Georgia of all or a portion of such actual cost and expense, not to
12 exceed 20 percent the amount of a written estimate provided by Greystone Power
13 Corporation. Upon written request, the State Properties Commission, in its sole discretion,
14 may permit the relocation of the facilities to an alternate site on state owned land so long as
15 the removal and relocation is paid by the party or parties requesting such removal and at no
16 cost and expense to the State of Georgia.

17 **SECTION 47.**

18 That this resolution does not affect and is not intended to affect any rights, powers, interest,
19 or liability of the Department of Transportation with respect to the state highway system, a
20 county with respect to the county road system, or a municipality with respect to the city street
21 system. Grantee shall obtain any and all other required permits from the appropriate
22 governmental agencies as are necessary for its lawful use of the easement area or public
23 highway right of way and comply with all applicable state and federal environmental statutes
24 in its use of the easement area.

25 **SECTION 48.**

26 That the easement granted to Greystone Power Corporation shall contain such other
27 reasonable terms, conditions, and covenants as the State Properties Commission shall deem
28 in the best interests of the State of Georgia and that the State Properties Commission is
29 authorized to use a more accurate description of the easement area, so long as the description
30 utilized by the State Properties Commission describes the same easement area herein granted.

31 **SECTION 49.**

1 That the consideration for such easement shall be \$10.00 and such further consideration and
2 provisions as the State Properties Commission may determine to be in the best interests of
3 the State of Georgia.

4 **SECTION 50.**

5 That this grant of easement shall be recorded by the grantee in the Superior Court of Douglas
6 County and a recorded copy shall be forwarded to the State Properties Commission.

7 **SECTION 51.**

8 That the authorization in this resolution to grant the above-described easement to Greystone
9 Power Corporation shall expire three years after the date that this resolution becomes
10 effective.

11 **SECTION 52.**

12 That the State Properties Commission is authorized and empowered to do all acts and things
13 necessary and proper to effect the grant of the easement area.

14 **ARTICLE V**

15 **SECTION 53.**

16 That the State of Georgia is the owner of the hereinafter described real property in Grady
17 County and the property is in the custody of the Department of Technical and Adult
18 Education, hereinafter referred to as the "easement area," and that, in all matters relating to
19 the easement area, the State of Georgia is acting by and through its State Properties
20 Commission.

21 **SECTION 54.**

22 That the State of Georgia, acting by and through its State Properties Commission, may grant
23 to the City of Cairo, or its successors and assigns, a nonexclusive easement for the
24 construction, operation, and maintenance of utilities on, over, under, upon, across, or through
25 the easement area for the purposes of constructing, erecting, installing, maintaining,
26 repairing, replacing, inspecting, and operating utilities together with the right of ingress and
27 egress over adjacent land of the State of Georgia as may be reasonably necessary to
28 accomplish the aforesaid purposes. Said easement area is located in land lots 381 and 20,
29 17th and 18th Land District, Grady County, Georgia, and are more particularly described as
30 follows:

1 "That portion and that portion only as shown highlighted in yellow on a plat of survey
2 dated October 1, 2003 prepared by Larry W. Grogan and all being on file in the offices of
3 the State Properties Commission and may be more particularly described by a plat of survey
4 prepared by a Georgia Registered Land Surveyor and presented to the State Properties
5 Commission for approval."

6 **SECTION 55.**

7 That the above-described premises shall be used solely for the purposes of planning,
8 constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating
9 utilities.

10 **SECTION 56.**

11 That the City of Cairo shall have the right to remove or cause to be removed from said
12 easement area only such trees and bushes as may be reasonably necessary for the proper
13 construction, operation, and maintenance of said utilities.

14 **SECTION 57.**

15 That, after the City of Cairo has put into use the utilities for which this easement is granted,
16 a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia,
17 or its successors and assigns, of all the rights, title, privileges, powers, and easement granted
18 herein. Upon abandonment, the City of Cairo, or its successors and assigns, shall have the
19 option of removing its facilities from the easement area or leaving the same in place, in
20 which event the facility shall become the property of the State of Georgia, or its successors
21 and assigns.

22 **SECTION 58.**

23 That no title shall be conveyed to the City of Cairo, and, except as herein specifically granted
24 to the City of Cairo, all rights, title, and interest in and to said easement area are reserved in
25 the State of Georgia, which may make any use of said easement area not inconsistent with
26 or detrimental to the rights, privileges, and interest granted to the City of Cairo.

27 **SECTION 59.**

28 That if the State of Georgia, acting by and through its State Properties Commission,
29 determines that any or all of the facilities placed on the easement area should be removed or
30 relocated to an alternate site on state owned land in order to avoid interference with the
31 state's use or intended use of the easement area, it may grant a substantially equivalent

1 nonexclusive easement to allow placement of the removed or relocated facilities across the
2 alternate site, under such terms and conditions as the State Properties Commission shall in
3 its discretion determine to be in the best interests of the State of Georgia; and the City of
4 Cairo shall remove or relocate its facilities to the alternate easement area at its sole cost and
5 expense, unless the State Properties Commission determines that the requested removal or
6 relocation is to be for the sole benefit of the State of Georgia and approves payment by the
7 State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20
8 percent the amount of a written estimate provided by the City of Cairo. Upon written
9 request, the State Properties Commission, in its sole discretion, may permit the relocation of
10 the facilities to an alternate site on state owned land so long as the removal and relocation
11 is paid by the party or parties requesting such removal and at no cost and expense to the State
12 of Georgia.

13 **SECTION 60.**

14 That this resolution does not affect and is not intended to affect any rights, powers, interest,
15 or liability of the Department of Transportation with respect to the state highway system, a
16 county with respect to the county road system, or a municipality with respect to the city street
17 system. Grantee shall obtain any and all other required permits from the appropriate
18 governmental agencies as are necessary for its lawful use of the easement area or public
19 highway right of way and comply with all applicable state and federal environmental statutes
20 in its use of the easement area.

21 **SECTION 61.**

22 That the easement granted to the City of Cairo shall contain such other reasonable terms,
23 conditions, and covenants as the State Properties Commission shall deem in the best interests
24 of the State of Georgia and that the State Properties Commission is authorized to use a more
25 accurate description of the easement area, so long as the description utilized by the State
26 Properties Commission describes the same easement area herein granted.

27 **SECTION 62.**

28 That the consideration for such easement shall be for \$10.00 and such further consideration
29 and provisions as the State Properties Commission may determine to be in the best interests
30 of the State of Georgia.

31 **SECTION 63.**

32 That this grant of easement shall be recorded by the grantee in the Superior Court of Grady
33 County and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 64.

That the authorization in this resolution to grant the above-described easement to the City of Cairo shall expire three years after the date that this resolution becomes effective.

SECTION 65.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VI**SECTION 66.**

That the State of Georgia is the owner of the hereinafter described real property in Muscogee County and the property is in the custody of the Department of Technical and Adult Education, hereinafter referred to as the "easement area," and that, in all matters relating to the easement area, the State of Georgia is acting by and through its State Properties Commission.

SECTION 67.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Columbus Consolidated Government, or its successors and assigns, a nonexclusive easement for the construction, operation, and maintenance of a sanitary sewer line in, on, over, under, upon, across, or through the easement area for the purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting, and operating a sanitary sewer line together with the right of ingress and egress over adjacent land of the State of Georgia as may be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located in land lot 59, 9th District of Muscogee County, Georgia, and is more particularly described as follows:

"That portion and that portion only as shown highlighted in yellow on a plat of survey dated May 10, 2005 and prepared by A. B. Moon Jr., and being on file in the offices of the State Properties Commission, and may be more particularly described by a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval."

SECTION 68.

1 That the above-described premises shall be used solely for the purposes of constructing,
2 erecting, installing, maintaining, repairing, replacing, inspecting, and operating said sanitary
3 sewer line.

4 **SECTION 69.**

5 That the Columbus Consolidated Government shall have the right to remove or cause to be
6 removed from said easement area only such trees and bushes as may be reasonably necessary
7 for the proper construction, operation, and maintenance of said sanitary sewer line.

8 **SECTION 70.**

9 That, after the Columbus Consolidated Government has put into use the sanitary sewer line
10 for which this easement is granted, a subsequent abandonment of the use thereof shall cause
11 a reversion to the State of Georgia, or its successors and assigns, of all the rights, title,
12 privileges, powers, and easement granted herein. Upon abandonment, the Columbus
13 Consolidated Government, or its successors and assigns, shall have the option of removing
14 its facilities from the easement area or leaving the same in place, in which event the facility
15 shall be the property of the State of Georgia, or its successors and assigns.

16 **SECTION 71.**

17 That no title shall be conveyed to the Columbus Consolidated Government, and, except as
18 herein specifically granted to Columbus Consolidated Government, all rights, title, and
19 interest in and to said easement area are reserved in the State of Georgia, which may make
20 any use of said easement area not inconsistent with or detrimental to the rights, privileges,
21 and interest granted to the Columbus Consolidated Government.

22 **SECTION 72.**

23 That if the State of Georgia, acting by and through its State Properties Commission,
24 determines that any or all of the facilities placed on the easement area should be removed or
25 relocated to an alternate site on state owned land in order to avoid interference with the
26 state's use or intended use of the easement area, it may grant a substantially equivalent
27 nonexclusive easement to allow placement of the removed or relocated facilities across the
28 alternate site, under such terms and conditions as the State Properties Commission shall in
29 its discretion determine to be in the best interests of the State of Georgia; and the Columbus
30 Consolidated Government shall remove or relocate its facilities to the alternate easement area
31 at its sole cost and expense, unless the State Properties Commission determines that the
32 requested removal or relocation is to be for the sole benefit of the State of Georgia and

1 approves payment by the State of Georgia of all or a portion of such actual cost and expense,
2 not to exceed by 20 percent the amount of a written estimate provided by the Columbus
3 Consolidated Government. Upon written request, the State Properties Commission, in its
4 sole discretion, may permit the relocation of the facilities to an alternate site on state owned
5 land so long as the removal and relocation is paid by the party or parties requesting such
6 removal and at no cost and expense to the State of Georgia.

7 **SECTION 73.**

8 That this resolution does not affect and is not intended to affect any rights, powers, interest,
9 or liability of the Department of Transportation with respect to the state highway system, a
10 county with respect to the county road system, or a municipality with respect to the city street
11 system. Grantee shall obtain any and all other required permits from the appropriate
12 governmental agencies as are necessary for its lawful use of the easement area or public
13 highway right of way and comply with all applicable state and federal environmental statutes
14 in its use of the easement area.

15 **SECTION 74.**

16 That the easement granted to the Columbus Consolidated Government shall contain such
17 other reasonable terms, conditions, and covenants as the State Properties Commission shall
18 deem in the best interests of the State of Georgia and that the State Properties Commission
19 is authorized to use a more accurate description of the easement area, so long as the
20 description utilized by the State Properties Commission describes the same easement area
21 herein granted.

22 **SECTION 75.**

23 That the consideration for such easement shall be for the fair market value, but not less than
24 \$650.00 and such further consideration and provisions as the State Properties Commission
25 may determine to be in the best interests of the State of Georgia.

26 **SECTION 76.**

27 That this grant of easement shall be recorded by the grantee in the Superior Court of
28 Muscogee County and a recorded copy shall be forwarded to the State Properties
29 Commission.

30 **SECTION 77.**

1 That the authorization in this resolution to grant the above-described easement to the
2 Columbus Consolidated Government shall expire three years after the date that this resolution
3 becomes effective.

4 **SECTION 78.**

5 That the State Properties Commission is authorized and empowered to do all acts and things
6 necessary and proper to effect the grant of the easement area.

7 **ARTICLE VII**

8 **SECTION 79.**

9 That the State of Georgia is the owner of the hereinafter described real property in Bryan,
10 Camden, Charlton, Chatham, and Glynn counties, and is in the custody of the Department
11 of Natural Resources, hereinafter referred to as the "easement area," and that, in all matters
12 relating to the easement area, the State of Georgia is acting by and through its State
13 Properties Commission.

14 **SECTION 80.**

15 That the State of Georgia, acting by and through its State Properties Commission, may grant
16 to Southern Natural Gas Company, or its successors and assigns, a nonexclusive easement
17 for the construction, operation, and maintenance of a natural gas pipeline in, on, over, under,
18 upon, across, or through the easement area for the purposes of constructing, erecting,
19 installing, maintaining, repairing, replacing, inspecting, and operating a natural gas pipeline
20 together with the right of ingress or egress over adjacent land of the State of Georgia as may
21 be reasonably necessary to accomplish the aforesaid purposes. Said easement area is located
22 on state property known as creek or river bottoms of St. Augustine Creek and the Ogeechee,
23 Little Satilla, St. Marys, and Satilla Rivers and/or tidally influenced lands near these waters
24 and manages a state owned scenic easement along the Altamaha River in Glynn County,
25 Georgia, and is more particularly described as outlined in yellow on a drawing prepared by
26 Southern Natural Gas Company and being titled "Proposed Cypress Pipeline Crossings Over
27 State Lands and Tidal Areas", and on file in the offices of the State Properties Commission
28 and may be more particularly described by a plat of survey prepared by a Georgia Registered
29 Land Surveyor and presented to the State Properties Commission for approval.

30 **SECTION 81.**

1 That the above-described premises shall be used solely for the purposes of constructing,
2 erecting, installing, maintaining, repairing, replacing, inspecting, and operating said natural
3 gas pipeline.

4 **SECTION 82.**

5 That Southern Natural Gas Company shall have the right to remove or cause to be removed
6 from said easement area only such trees and bushes as may be reasonably necessary for the
7 proper construction, operation, and maintenance of said natural gas pipe line.

8 **SECTION 83.**

9 That, after Southern Natural Gas Company has put into use the natural gas pipeline for which
10 this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion
11 to the State of Georgia, or its successors and assigns, of all the rights, title, privileges,
12 powers, and easement granted herein. Upon abandonment, Southern Natural Gas Company,
13 or its successors and assigns, shall have the option of removing its facilities from the
14 easement area or leaving the same in place, in which event the facility shall become the
15 property of the State of Georgia, or its successors and assigns.

16 **SECTION 84.**

17 That no title shall be conveyed to Southern Natural Gas Company, and, except as herein
18 specifically granted to Southern Natural Gas Company, all rights, title, and interest in and to
19 said easement area is reserved in the State of Georgia, which may make any use of said
20 easement area not inconsistent with or detrimental to the rights, privileges, and interest
21 granted to Southern Natural Gas Company.

22 **SECTION 85.**

23 That if the State of Georgia, acting by and through its State Properties Commission,
24 determines that any or all of the facilities placed on the easement area should be removed or
25 relocated to an alternate site on state owned land in order to avoid interference with the
26 state's use or intended use of the easement area, it may grant a substantially equivalent
27 nonexclusive easement to allow placement of the removed or relocated facilities across the
28 alternate site, under such terms and conditions as the State Properties Commission shall in
29 its discretion determine to be in the best interests of the State of Georgia; and Southern
30 Natural Gas Company shall remove or relocate its facilities to the alternate easement area at
31 its sole cost and expense, unless the State Properties Commission determines that the

1 requested removal or relocation is to be for the sole benefit of the State of Georgia and
2 approves payment by the State of Georgia of all or a portion of such actual cost and expense,
3 not to exceed by 20 percent the amount of a written estimate provided by Southern Natural
4 Gas Company. Upon written request, the State Properties Commission, in its sole discretion,
5 may permit the relocation of the facilities to an alternate site on state owned land so long as
6 the removal and relocation is paid by the party or parties requesting such removal and at no
7 cost and expense to the State of Georgia.

8 **SECTION 86.**

9 That this resolution does not affect and is not intended to affect any rights, powers, interests,
10 or liability of the Department of Transportation with respect to the state highway system, a
11 county with respect to the county road system, or a municipality with respect to the city street
12 system. Grantee shall obtain any and all other required permits from the appropriate
13 governmental agencies as are necessary for its lawful use of the easement area or public
14 highway right of way and comply with all applicable state and federal environmental statutes
15 in its use of the easement area.

16 **SECTION 87.**

17 That the easement granted to Southern Natural Gas Company shall contain such other
18 reasonable terms, conditions, and covenants as the State Properties Commission shall deem
19 in the best interests of the State of Georgia and that the State Properties Commission is
20 authorized to use a more accurate description of the easement area, so long as the description
21 utilized by the State Properties Commission describes the same easement area herein granted.

22 **SECTION 88.**

23 That the consideration for such easement shall be for not less than the fair market value and
24 such further consideration and provisions as the State Properties Commission may determine
25 to be in the best interests of the State of Georgia.

26 **SECTION 89.**

27 That this grant of easement shall be recorded by the grantee in the Superior Courts of Bryan,
28 Camden, Charlton, Chatham, and Glynn counties and a recorded copy shall be forwarded to
29 the State Properties Commission.

30 **SECTION 90.**

1 That the authorization in this resolution to grant the above-described easement to Southern
2 Natural Gas Company shall expire three years after the date that this resolution becomes
3 effective.

4 **SECTION 91.**

5 That the State Properties Commission is authorized and empowered to do all acts and things
6 necessary and proper to effect the grant of the easement area.

7 **ARTICLE VIII**

8 **SECTION 92.**

9 That the State of Georgia is the owner of the hereinafter described real property in Whitfield
10 County, and the property is in the custody of the State Properties Commission, hereinafter
11 referred to as the "easement area," and that, in all matters relating to the easement area, the
12 State of Georgia is acting by and through the State Properties Commission.

13 **SECTION 93.**

14 That the State of Georgia, acting by and through its State Properties Commission, may grant
15 to North Georgia Electric Membership Corporation, or its successors and assigns, a
16 nonexclusive easement for the construction, operation, and maintenance of an electrical
17 distribution line in, on, over, under, upon, across, or through the easement area for the
18 purposes of constructing, erecting, installing, maintaining, repairing, replacing, inspecting,
19 and operating an electrical distribution line together with the right of ingress and egress over
20 adjacent land of the State of Georgia as may be reasonably necessary to accomplish the
21 aforesaid purposes. Said easement area is located in land lot 230, 13th District, 3rd Section,
22 Whitfield County, Georgia, and is more particularly described as follows:

23 "That portion and that portion only as shown marked in yellow on a drawing prepared by
24 North Georgia Electric Membership Corporation, and being on file in the offices of the
25 State Properties Commission, and may be more particularly described by a plat of survey
26 prepared by a Georgia Registered Land Surveyor and presented to the State Properties
27 Commission for approval."

28 **SECTION 94.**

29 That the above-described premises shall be used solely for the purpose of constructing,
30 erecting, installing, maintaining, repairing, replacing, inspecting, and operating said electrical
31 distribution line.

SECTION 95.

That North Georgia Electric Membership Corporation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, operation, and maintenance of said electrical distribution line.

SECTION 96.

That, after North Georgia Electric Membership Corporation has put into use the electrical distribution line for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, North Georgia Electric Membership Corporation, or its successors and assigns, shall have the option of removing its facilities from the easement area or leaving the same in place, in which event the facility shall be the property of the State of Georgia, or its successors and assigns.

SECTION 97.

That no title shall be conveyed to North Georgia Electric Membership Corporation, and, except as herein specifically granted to North Georgia Electric Membership Corporation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to North Georgia Electric Membership Corporation.

SECTION 98.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the state's use or intended use of the easement area, it may grant a substantially equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site, under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia; and North Georgia Electric Membership Corporation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense, unless the State Properties Commission determines that the requested removal or relocation is to be for the sole benefit of the State of Georgia and approves payment by the State of Georgia of all or a portion of such actual cost and expense, not to exceed by 20 percent the amount of a written estimate provided by

1 North Georgia Electric Membership Corporation. Upon written request, the State Properties
2 Commission, in its sole discretion, may permit the relocation of the facilities to an alternate
3 site on state owned land so long as the removal and relocation is paid by the party or parties
4 requesting such removal and at no cost and expense to the State of Georgia.

5 **SECTION 99.**

6 That this resolution does not affect and is not intended to affect any rights, powers, interest,
7 or liability of the Department of Transportation with respect to the state highway system, a
8 county with respect to the county road system, or a municipality with respect to the city street
9 system. Grantee shall obtain any and all other required permits from the appropriate
10 governmental agencies as are necessary for its lawful use of the easement area or public
11 highway right of way and comply with all applicable state and federal environmental statutes
12 in its use of the easement area.

13 **SECTION 100.**

14 That the easement granted to North Georgia Electric Membership Corporation shall contain
15 such other reasonable terms, conditions, and covenants as the State Properties Commission
16 shall deem in the best interests of the State of Georgia and that the State Properties
17 Commission is authorized to use a more accurate description of the easement area, so long
18 as the description utilized by the State Properties Commission describes the same easement
19 area herein granted.

20 **SECTION 101.**

21 That the consideration for such easement shall be the fair market value, but not less than
22 \$650.00, and such further consideration and provisions as the State Properties Commission
23 may determine to be in the best interests of the State of Georgia.

24 **SECTION 102.**

25 That this grant of easement shall be recorded by the grantee in the Superior Court of
26 Whitfield County and a recorded copy shall be forwarded to the State Properties
27 Commission.

SECTION 103.

That the authorization in this resolution to grant the above-described easement to North Georgia Electric Membership Corporation shall expire three years after the date that this resolution becomes effective.

SECTION 104.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE IX**SECTION 105.**

That all laws and parts of laws in conflict with this resolution are repealed.